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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

CENTER FOR BIOLOGICAL DIVERSITY, <i>et al.</i> ,)	No: CV 08-5546-MHP (Lead Case)
)	CV 08-5605-MHP
Plaintiffs,)	CV 08-5654-MHP
)	CV 08-5775-MHP
v.)	(Consolidated Cases)

KEN L. SALAZAR, <i>et al.</i> ,)	JOINT STIPULATION AND
)	[PROPOSED] CASE
Defendants.)	MANAGEMENT ORDER

NATURAL RESOURCES DEFENSE COUNCIL, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF THE
INTERIOR, *et al.*,

Defendants.

1 NATIONAL WILDLIFE FEDERATION, *et al.*,)
 2)
 3 Plaintiffs,)
 4)
 5 v.)
 6 KEN L. SALAZAR, *et al.*,)
 Defendants.)

7 PEOPLE OF THE STATE OF CALIFORNIA, *et al.*,)
 8)
 9 Plaintiffs,)
 10)
 11 v.)
 12 KEN L. SALAZAR, *et al.*,)
 Defendants.)

13 Pursuant to the case management conference held on March 23, 2009, and pursuant to Civil
 14 Local Rules 7-12, 16-7, 16-9, and 16-10, the Plaintiffs and the Federal Defendants in the above-
 15 captioned cases (hereinafter, "Parties") respectfully request that this Court adopt this Stipulation and
 16 enter it as an order of the Court pursuant to Civil Local Rule 16-10(b) and other Local Rules. This
 17 Stipulation reflects and incorporates the agreements of the Parties in their respective Joint Case
 18 Management Statements filed on March 16, 2009,¹ while taking into account this Court's order that the
 19 above-captioned cases be consolidated and that Federal Defendants produce an Administrative Record
 20 by May 29, 2009. See Minute Order, Doc. 32, CV 08-5546-MHP. This Stipulation, if adopted by the
 21 Court, shall govern all further proceedings in this action.

22 THEREFORE, IT IS HEREBY STIPULATED by and between the Parties, through their
 23 respective counsel, that, upon approval of the Court, the following schedule shall apply in the
 24 consolidated cases:

- 25 1. Federal Defendants shall file and serve the Administrative Record by May 29, 2009.

28 ¹ See Doc. No. 31 in CV 08-5546; Doc. No. 25 in CV 08-5605; Doc. No. 23 in CV 08-5654; and Doc. No. 45 in CV 08-5775.

2. 30 days after service of the Administrative Record, the Parties shall file motion(s) relating to the Administrative Record and motion(s) for judgment on the pleadings, if any.
3. 60 days after the Administrative Record is deemed complete (either by agreement of the Parties or by order of the Court) or 60 days from resolution of any motion(s) for judgment on the pleadings, whichever is later, the NGO Plaintiffs² shall file a consolidated Motion for Summary Judgment of no more than 50 pages, and the State Plaintiffs shall file a separate Motion for Summary Judgment of no more than 50 pages. The NGO Plaintiffs and the State Plaintiffs need not file a separate statement of undisputed facts pursuant to Civil Local Rule 56-2.
4. 60 days after service of the Plaintiffs' summary judgment motions, Federal Defendants shall file, either in one consolidated brief of no more than 90 pages or in two separate briefs of no more than 50 pages, a combined Cross-Motion for Summary Judgment and Opposition to Plaintiffs' Motions for Summary Judgment. Federal Defendants need not file a separate statement of undisputed facts pursuant to Civil Local Rule 56-2.
5. 60 days after service of the Federal Defendants' combined Cross-Motion and Opposition(s), the NGO Plaintiffs and the State Plaintiffs shall each file a combined Opposition to Defendants' Cross Motion for Summary Judgment and Reply in Support of their Motion for Summary Judgment of no more than 50 pages.
6. 40 days after service of the Plaintiffs' combined Oppositions and Replies, Federal Defendants shall file, either in one consolidated brief of no more than 45 pages or in two separate briefs of no more than 25 pages, a Reply in Support of their Motion for Summary Judgment.

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² "NGO Plaintiffs" refers to the non-governmental organization Plaintiffs in CV 08-5546-MHP, CV 08-5605-MHP, and CV 08-5654-MHP. "State Plaintiffs" refers to the Plaintiffs in CV 08-5775.

1 DATED March 27, 2009

Respectfully Submitted,

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DATED March 27, 2009

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DATED March 27, 2009

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: _____

HONORABLE MARILYN HALL PATEL
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I, Michael R. Eitel, hereby certify that on March 27, 2009, I electronically filed the foregoing Stipulation with the Clerk of Court using the CM/ECF system, which will automatically send email notification to attorneys of record. Moreover, I caused to be served, postage prepaid, copies of the foregoing on the following counsel:

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